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Agenda item 123

Programme budget for the biennium 2002-2003

Report of the Fifth Committee

Rapporteur: Mr. Santiago **Wins** (Uruguay)

I. Introduction

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 123 appear in the reports of the Committee contained in document A/56/736 and Add.1.

2. The Fifth Committee resumed its consideration of the item at its 57th, 59th and 60th meetings, on 21, 23 May and 17 June 2002. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/56/SR.57, 59 and 60).

3. For its further consideration of the item, the Committee had before it the following documents:

Conditions of service for judges of the International Court of Justice, the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

(a) Report of the Secretary-General on conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Tribunal for the Former Yugoslavia, judges of the International Criminal Tribunal for Rwanda and ad litem judges of the International Tribunal for the Former Yugoslavia (A/C.5/56/14);

(b) Report of the Advisory Committee on Administrative and Budgetary Questions (A/56/7/Add.2);

Estimates in respect of matters of which the Security Council is seized

(c) Report of the Secretary-General: United Nations Assistance Mission in Afghanistan (A/C.5/56/25/Add.4);

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(d) Report of the Advisory Committee on Administrative and Budgetary Questions (A/56/7/Add.10);

(e) Report of the Secretary-General: United Nations Tajikistan Office of Peace-building (A/C.5/56/25/Add.5);

(f) Oral report by the Chairman of the Advisory Committee on Administrative and Budgetary Questions (see A/C.5/56/SR.59);

Strengthening the security and safety of United Nations premises

(g) Report of the Secretary-General on strengthening the security and safety of United Nations premises: revised estimates under sections 16, 17, 19, 20, 27C, 27D, 27E, 27F, 27G, 30, 31 and 32 and income section 1 of the programme budget for the biennium 2002-2003 (A/56/848);

(h) Report of the Advisory Committee on Administrative and Budgetary Questions (A/56/7/Add.9);

Implementation of the provisions of General Assembly resolution 56/242

(i) Report of the Secretary-General on the implementation of the provisions of General Assembly resolution 56/242 on pattern of conferences (A/56/919);

(j) Oral report by the Chairman of the Advisory Committee on Administrative and Budgetary Questions (see A/C.5/56/SR.57);

Conference and support services extended to the Counter-Terrorism Committee

(k) Report of the Secretary-General on conference and support services extended to the Counter-Terrorism Committee in the implementation of Security Council resolution 1373 (2001), revised estimates under sections 2 and 27D of the programme budget for the biennium 2002-2003 (A/C.5/56/42);

(l) Report of the Advisory Committee on Administrative and Budgetary Questions (A/56/7/Add.11).

II. Consideration of proposals

A. Draft resolution A/C.5/56/L.62

4. At the 60th meeting, on 17 June, the representative of Namibia and coordinator of the informal consultations on this question introduced, on behalf of the Chairman, a draft resolution entitled "Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Tribunal for the Former Yugoslavia, judges of the International Criminal Tribunal for Rwanda and ad litem judges of the International Tribunal for the Former Yugoslavia" (A/C.5/56/L.62).

5. At the same meeting, the Committee adopted draft resolution A/C.5/56/L.62 without a vote (see para. 15, draft resolution I).

B. Draft resolution A/C.5/56/L.83

6. Also at the 60th meeting, on 17 June, the representative of Belgium and coordinator of the informal consultations on this question, introduced, on behalf of the Chairman, a draft resolution entitled "Estimates in respect of matters of which the Security Council is seized" (A/C.5/56/L.83).

7. At the same meeting, the Committee adopted draft resolution A/C.5/56/L.83 without a vote (see para. 15, draft resolution II).

C. Draft resolution A/C.5/56/L.86

8. At the 60th meeting, on 17 June, the Committee had before it a draft resolution entitled "Strengthening the security and safety of United Nations premises" (A/C.5/56/L.86), submitted by the Chairman, which had been coordinated by the representative of Sweden.

9. At the same meeting, the Committee adopted draft resolution A/C.5/56/L.86 without a vote (see para. 15, draft resolution III).

D. Draft resolution A/C.5/56/L.92

10. At the 60th meeting, on 17 June, the representative of Singapore and coordinator of the informal consultations on this question, introduced, on behalf of the Chairman, a draft resolution entitled "Implementation of the provisions of General Assembly resolution 56/242" (A/C.5/56/L.92).

11. At the same meeting, the Committee adopted draft resolution A/C.5/56/L.92 without a vote (see para. 15, draft resolution IV).

12. Also at the same meeting, the representative of the Syrian Arab Republic made a statement.

E. Draft resolution A/C.5/56/L.93

13. At the 60th meeting, on 17 June, the representative of Ukraine, Vice-Chairman of the Committee and coordinator of the informal consultations on this question, introduced a draft resolution entitled "Conference and support services extended to the Counter-Terrorism Committee in implementation of Security Council resolution 1373 (2001)" (A/C.5/56/L.93).

14. At the same meeting, the Committee adopted draft resolution A/C.5/56/L.93 without a vote (see para. 15, draft resolution V).

III. Recommendations of the Fifth Committee

15. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Tribunal for the Former Yugoslavia, Judges of the International Tribunal for Rwanda and ad litem judges of the International Tribunal for the Former Yugoslavia

The General Assembly,

Recalling section VIII of its resolution 53/214 of 18 December 1998 on the conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and judges of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and its resolution 55/249 of 12 April 2001 on the conditions of service and compensation for the ad litem judges of the International Tribunal for the Former Yugoslavia,

Reiterating paragraph 6 of section III of its resolution 56/242 of 24 December 2001,

Having considered the report of the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Reaffirming the general principle that the terms and conditions of service for the judges of the International Tribunal for Rwanda shall be those of the judges of the International Tribunal for the Former Yugoslavia,

1. *Endorses* the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report with regard to the emoluments, the special allowance of the President and for the Vice-President when acting as President, education grant, pensions and other conditions of service of the members of the International Court of Justice, the judges of the International Tribunal for the Former Yugoslavia, the judges of the International Tribunal for Rwanda and the ad litem judges of the International Tribunal for the Former Yugoslavia, without prejudice to the existing rules governing the conditions of service of the judges of the Tribunals;

2. *Decides* that the conditions of service and remuneration for the members of the International Court of Justice and the judges of the International Tribunal for the Former Yugoslavia and the judges of the International Tribunal for Rwanda and the ad litem judges of the International Tribunal for the Former Yugoslavia shall next be reviewed at its fifty-ninth session.

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[1] A/C.5/56/14.

[2] A/56/7/Add.2.

Draft resolution II
Estimates in respect of matters of which the Security Council is seized

The General Assembly,

Having considered the reports of the Secretary-General on the estimates in respect of matters of which the Security Council is seized,[3] as well as the related report of the Advisory Committee on Administrative and Budgetary Questions[4] and the oral statement of the Chairman of the Advisory Committee to the Fifth Committee,[5]

Recalling its resolution 56/274 of 27 March 2002, in which it approved a charge totalling 41,458,500 United States dollars against the provision for special political missions under section 3, Political affairs, of the programme budget for the biennium 2002-2003,[6]

1. *Takes note* of the reports of the Secretary-General on the estimates in respect of matters of which the Security Council is seized,[3] and concurs with the observations and endorses the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report[4] and in the oral statement of its Chairman;[5]

2. *Approves* the charge of 34,303,300 dollars for the United Nations Assistance Mission in Afghanistan against the balance remaining of the provision for special political missions appropriated under section 3, Political affairs, of the programme budget for the biennium 2002-2003;[6]

3. *Also approves*, under the procedures provided for in paragraph 11 of annex I to General Assembly resolution 41/213 of 19 December 1986, an additional appropriation of 10,563,100 dollars for the two political missions discussed in the reports of the Secretary-General, comprising 8,707,400 dollars for the United Nations Assistance Mission in Afghanistan and 1,855,700 dollars for the United Nations Tajikistan Office of Peace-building;

4. *Further approves* an appropriation of 4,165,800 dollars, comprising 3,929,500 dollars in respect of the United Nations Assistance Mission in Afghanistan and 236,300 dollars in respect of the United Nations Tajikistan Office of Peace-building, under section 32, Staff assessment, of the programme budget,[7] to be offset by a corresponding amount in income section 1, Income from staff assessment.[8]

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[3] A/C.5/56/25/Add.4 and 5.

[4] A/56/7/Add.10. For the final text, see *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 7A*.

[5] See A/C.5/56/SR.59.

[6] A/56/6 (Sect. 3).

[7] Ibid. (Sect. 32).

[8] Ibid. (Income sect. 1).

Draft resolution III
Strengthening the security and safety of United Nations premises

The General Assembly,

Recalling its resolution 56/253 of 24 December 2001,

Reaffirming its resolution 55/232 of 23 December 2000,

Having considered the report of the Secretary-General on strengthening the security and safety of United Nations premises,[9]

Having also considered the related report of the Advisory Committee on Administrative and Budgetary Questions,[10]

1. *Endorses* the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report, subject to the provisions of the present resolution;

2. *Reaffirms* the agreement between the United Nations and the host countries regarding the United Nations Headquarters and other United Nations offices;

3. *Decides* to appropriate an amount of 57,785,300 dollars (net of staff assessments) for the implementation of the measures contained in the report of the Secretary-General to strengthen the security and safety of United Nations premises, under the following sections of the programme budget for the biennium 2002-2003: 85,600 dollars under section 16, Economic and social development in Africa; 591,700 dollars under section 17, Economic and social development in Asia and the Pacific; 232,000 dollars under section 19, Economic and social development in Latin America and the Caribbean; 1,045,000 dollars under section 20, Economic and social development in Western Asia; 458,600 dollars under section 27C, Office of Human Resources Management; 9,144,200 dollars under section 27D, Office of Central Support Services; 2,052,500 dollars under section 27E, Administration, Geneva; 370,600 dollars under section 27F, Administration, Vienna; 327,200 dollars under section 27G, Administration, Nairobi; 1,647,000 dollars under section 30, Special expenses; 41,830,900 dollars under section 31, Construction, alteration, improvement and major maintenance; 1,574,900 dollars under section 32, Staff assessment; to be offset by an equivalent amount (1,574,900 dollars) of income under income section 1, Income from staff assessment;

4. *Affirms* that the above appropriations include one-time requirements for upgrading the physical and security infrastructures;

5. *Notes* the concerns expressed on the formulation of some parts of the report[9] on the security situation in some countries and requests the Secretary-General to ensure that adequate care and attention is given to the language of reports on sensitive subjects;

6. *Requests* the Secretary-General to report on the progress in the implementation of these measures at the main part of the fifty-seventh session of the General Assembly;

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[9] A/56/848.

[10] A/56/7/Add.9.

7. *Requests* the Secretary-General to take all possible measures to ensure that the work within the projects approved for Headquarters under the present resolution be integrated with the capital master plan to the extent possible, once the further decisions on the capital master plan are taken by the General Assembly.

Draft resolution IV
Implementation of the provisions of General Assembly resolution 56/242

The General Assembly,

Having considered the report of the Secretary-General of 16 April 2002,[11]

1. *Reaffirms* General Assembly resolution 56/242 of 24 December 2001, in which it approved the calendar of conferences and meetings of the United Nations for 2002-2003, and Assembly resolution 56/254 D of 27 March 2002;

2. *Notes with concern* the negative impact on some aspects of the smooth functioning of the United Nations following the implementation of the measures contained in the note verbale of the Secretary-General dated 28 February 2002;

3. *Reaffirms* its request to the Secretary-General to provide adequate conference services to regional group meetings in accordance with General Assembly resolution 56/242;

4. *Requests* the Secretary-General to ensure the full implementation of General Assembly resolution 56/242 utilizing the following options:

(a) Absorbing the additional workload within the capacity of the Department of General Assembly Affairs and Conference Services and the Department of Management;

(b) Utilizing the savings generated as a result of the implementation of the calendar of conferences and meetings as approved in General Assembly resolution 56/242;

(c) Delaying the implementation of certain non-substantive activities within the Department of General Assembly Affairs and Conference Services and the Department of Management;

(d) Proposals for reprogramming the activities of the Department of General Assembly Affairs and Conference Services and the Department of Management related to conference and support services, for the consideration and approval of the Assembly.

[11] A/56/919.

Draft resolution V
Conference and support services extended to the Counter-Terrorism Committee in implementation of Security Council resolution 1373 (2001)

The General Assembly,

Recalling Security Council resolution 1373 (2001) of 28 September 2001,

Reaffirming its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987,

Reaffirming also its resolutions 55/232 of 23 December 2000, 56/242 and 56/253 of 24 December 2001,

Having considered the report of the Secretary-General on conference and support services extended to the Counter-Terrorism Committee in implementation of Security Council resolution 1373 (2001)[12] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[13]

1. *Takes note* of the report of the Advisory Committee on Administrative and Budgetary Questions;[13]

2. *Requests* the Secretary-General to ensure the provision of conference and support services to the Counter-Terrorism Committee, without adversely affecting other conference services;

3. *Invites* the Security Council to ensure that the proceedings of the Counter-Terrorism Committee and other subsidiary bodies of the Council that require conference servicing are conducted with due regard to the most efficient use of conference-servicing resources;

4. *Also invites* the Security Council to consider the merits of establishing appropriate guidelines for, inter alia, the format and, to the extent feasible and acceptable, the volume of communications that all States are requested to submit for consideration by the Counter-Terrorism Committee;

5. *Requests* the Secretary-General to report to the General Assembly at the main part of its fifty-seventh session on the expenditures as well as programmatic impacts incurred in supporting the Counter-Terrorism Committee as a result of the present resolution;

6. *Decides* to consider further requirements necessary for conference and support servicing of the Counter-Terrorism Committee in the context of the first performance report at its fifty-seventh session.

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[12] A/C.5/56/42.
[13] A/56/7/Add.11.